

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEVEN SANTOS,

Plaintiff,

Case No. 14-11648

v.

Hon. John Corbett O'Meara

THE CITY OF WESTLAND, *et al.*,

Defendants.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiff Steven Santos filed this action against the City of Westland and seven individual Westland police officers. The complaint states the following claims: Count I, violation of 42 U.S.C. § 1983, against the individual defendants; Count II, gross negligence; Count III, violation of 42 U.S.C. § 1983, against the City of Westland; Count IV, false arrest; Count V, assault and battery; Count VI, false imprisonment; and Count VII, malicious prosecution. Plaintiff does not allege the existence of diversity jurisdiction.

Although violations of the 42 U.S.C. § 1983 are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion and because the state claims

predominate. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, IT IS HEREBY ORDERED that Counts II, IV, V, VI, and VII of Plaintiff's complaint are DISMISSED.

s/John Corbett O'Meara  
United States District Judge

Date: June 12, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, June 12, 2014, using the ECF system.

s/William Barkholz  
Case Manager